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Federal Public Defender  
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5 Counsel for Defendant JOSE PRADO

\*\*E-filed 1/31/06\*\*

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,	)	No. CR 05-00762-JF
	)	
12 Plaintiff,	)	
	)	
13 v.	)	<b>STIPULATION AND [PROPOSED]</b>
	)	<b>ORDER TO CONTINUE STATUS DATE</b>
14 JOSE PEPE PRADO,	)	
	)	
15 Defendant.	)	
_____	)	

16  
17 Assistant United States Attorney Susan Knight and defendant, Jose Prado, through his  
18 counsel, Assistant Federal Public Defender Angela M. Hansen, stipulate and agree that the status  
19 date in the above-captioned matter, presently scheduled for February 8, 2006, at 9:00 a.m.,  
20 should be continued to March 8, 2006 at 9:00 a.m.

21 The parties stipulate and agree that the status date should be continued because counsel  
22 for Mr. Prado needs additional time to investigate this case and to collect prior criminal records  
23 before she can advise Mr. Prado on whether or not he should file motions, enter a plea or proceed  
24 to trial. Additionally, counsel for the government needs additional time to obtain a tape of an  
25 immigration hearing, which the defense has requested in discovery. The parties further stipulate  
26 and agree that under 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv), the ends of justice served by the  
continuance requested outweigh the best interest of the defendant and public in a speedy trial  
because the failure to grant such a continuance would unreasonably deny Mr. Prado the time

1 necessary for effective preparation, taking into account the exercise of due diligence.

2  
3 SO STIPULATED.

4  
5 Dated: January 26, 2006

\_\_\_\_\_/s/  
ANGELA M. HANSEN  
Assistant Federal Public Defender

6  
7  
8 Dated: January 26, 2006

\_\_\_\_\_/s/  
SUSAN KNIGHT  
Assistant United States Attorney

\*\*E-filed 1/31/06\*\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 05-00762-JF
	)	
Plaintiff,	)	<b>[PROPOSED] ORDER CONTINUING</b>
	)	<b>STATUS DATE AND EXCLUDING</b>
v.	)	<b>TIME</b>
	)	
JOSE PEPE PRADO,	)	
	)	
Defendant.	)	
_____	)	

The parties have jointly requested to continue the status date and good cause appearing, IT IS HEREBY ORDERED that the status date presently set for February 8, 2006 at 9:00 a.m. is continued to March 8, 2006 at 9:00 a.m. Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from February 8, 2006 through and including March 8, 2006, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv).

Dated: January 31, 2006

  
JEREMY FOGEL  
United States District Judge

1 Distribute to:

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